

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA )  
 )  
v. ) No. 3:19-cr-083-M-1  
 ) Judge Barbara M. G. Lynn  
RUEL M. HAMILTON )

## MR. HAMILTON'S NOTICE OF APPEAL

Notice is hereby given that Ruel Hamilton, Defendant in the above-named case, appeals to the United States Court of Appeals for the Fifth Circuit from this Court's oral denial from the bench, at the hearing held on October 24, 2023, of Mr. Hamilton's motion to dismiss Count 3 of the Indictment based on double jeopardy. Mr. Hamilton acknowledges that this notice of appeal may be premature, as the Court indicated at the hearing that it might need some time to prepare a written opinion. The Court's order vacating the trial schedule also explained that it did so due to Mr. Hamilton's "announcement of his intention to appeal after the Court enters an Order reflecting its ruling." (D.E. 495.) No such order reflecting this ruling has yet been entered on the docket, but—in an abundance of caution—Mr. Hamilton files this notice of appeal to ensure that he does so in a timely manner. *See Fed. R. App. P. 4(b)(2) ("Filing Before Entry of Judgment.* A notice of appeal filed after the court announces a decision, sentence, or order—but before the entry of judgment or order—is treated as filed on the date of and after the entry.")

Dated: November 6, 2023

Respectfully submitted,

/s/ *Abbe David Lowell*

Abbe David Lowell, Bar No. 358651DC  
Christopher D. Man, Bar No. 453553DC  
Kaitlin Pierce Marino, Bar No. 242020DC  
WINSTON & STRAWN LLP  
1901 L Street, N.W.  
Washington, DC 20036

ADLowell@winston.com  
202-282-5000 (ph)  
202-282-5100 (fax)

Thomas M. Melsheimer, Bar No. 13922550TX  
Dion J. Robbins, Bar No. 24114011TX  
WINSTON & STRAWN LLP  
2121 N. Pearl Street, Suite 900  
Dallas, TX 75201  
TMelsheimer@winston.com  
214-453-6100 (ph)  
214-453-6400 (fax)

*Counsel for Defendant Ruel M. Hamilton*

**CERTIFICATE OF SERVICE**

I certify that on November 6, 2023, a copy of the foregoing was filed with the Court's electronic case filing system, thereby effecting service on counsel for all parties.

/s/ Abbe David Lowell  
Abbe David Lowell